

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LORENZO NICHOLS,)	
Plaintiff,)	
)	C.A. No. 19-164 Erie
)	
v.)	District Judge Susan Paradise Baxter
)	Magistrate Judge Richard A. Lanzillo
JERI SMOCK, et al.,)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff Lorenzo Nichols, an inmate incarcerated at the State Correctional Institution at Albion, Pennsylvania (“SCI-Albion”), initiated this *pro se* civil rights action against three staff members at SCI-Albion: Health Care Administrator Jeri Smock (Smock”); Physician Assistant Daniel Stroup (“Stroup”); and Anthony Letizio, D.O. (“Letizio”).¹ This matter was referred to United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates, and the case was subsequently reassigned to the undersigned, as presiding judge, on October 18, 2019, with Judge Lanzillo remaining as the referred Magistrate Judge for all pretrial proceedings.

In his *pro se* complaint, Plaintiff alleges that Defendants Stroup and Letizio provided him with medical care in May 2018 that was so deficient that it violated his Eighth Amendment right to be free from cruel and unusual punishment. On March 15, 2021, Defendants filed a motion for

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Defendant Smock was previously dismissed from this action by Order dated September 1, 2020 [ECF No. 57].

summary judgment [ECF No. 69], to which Plaintiff filed a response in opposition [ECF No. 75].

Defendants then filed a reply brief in response to Plaintiff's opposition [ECF No. 78]

On October 26, 2021, Judge Lanzillo issued a Report and Recommendation ("R&R") recommending that Defendants' motion for summary judgment be granted in favor of Defendants on all claims [ECF No. 82]. Plaintiff has since filed timely objections to the R&R, essentially raising the same arguments he raised in opposition to Defendant's summary judgment motion, which have already been considered by the Magistrate Judge.

Thus, after de novo review of the complaint and documents in this case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 13th day of December, 2021;

IT IS HEREBY ORDERED that Defendants' motion for summary judgment [ECF No. 69] is GRANTED, and judgment is hereby entered in favor of Defendants Stroup and Letizio and against Plaintiff on all claims in this case. The report and recommendation of Magistrate Judge Lanzillo, issued October 26, 2021 [ECF No. 82], is adopted as the opinion of the Court.

The Clerk is directed to mark this case "CLOSED."


SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
United States Magistrate Judge